

### REMARKS

In response to the non-final Office Action mailed December 7, 2007, Applicant has amended claims 1, 17 and 26, and canceled claims 3 and 19. Claims 1, 2, 4-18, and 20-32 are presented for further examination.

#### 35 U.S.C. § 101 Rejections

The Examiner rejected claims 1, 2, 4-10, 13-18, 20-26, and 29-32 under the doctrine of obviousness-type double patenting as being unpatentable over claims 1-4, 6-12, 15-18, 41-44, 46-52, and 55-58 of copending Application No. 10/521,999. Applicant has amended independent claims 1 and 17 to include the limitations of claims 3 and 19, respectively, which were not rejected under §101. As such, Applicant requests that this rejection be withdrawn.

#### 35 U.S.C. § 112, second paragraph Rejection

The Examiner rejected claims 1-32 under 35 U.S.C. § 112. Without conceding to the appropriations of the rejections, Applicant has amended claims 1, 17 and 26 and requests that these rejections be withdrawn.

#### Allowable Subject Matter

The Examiner indicated that previously pending claim 3, which depended directly or indirectly from independent claim 1, would be in condition for allowance if rewritten to include all of the limitations of its base claim (claim 1). Applicant has canceled claim 3 and amended claim 1 to include the limitations of previously pending claim 3. Applicant therefore requests reconsideration and withdrawal of the rejection of claim 1.

The Examiner indicated that previously pending claim 19, which depended directly or indirectly from independent claim 17, would be in condition for allowance if rewritten to include all of the limitations of its base claim (claim 17). Applicant has canceled claim 19 and amended claim 17 to include the limitations of previously pending claim 19. Applicant therefore requests reconsideration and withdrawal of the rejections of claim 17.

Summary

In view of the foregoing remarks, applicant respectfully submits that the application is in condition for allowance and such action is respectfully requested at the examiner's earliest convenience.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.


Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-956-5986.

Respectfully submitted,

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Tonya S. Drake  
Reg. No. 57,861

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906